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# Fax INTELLECTUAL PROPERTY

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Ralph Jean Bart, Art Unit: 2631	Client:	1372.08.PRWOUS
Fax:	571-273-8300	Pages:	20 including coversheet
Phone:	571-272-1017	Date:	December 12, 2006
Re:	USSN: 10/604,182	CC:	University of South Florida

Urgent     For Review     Please Comment     Please Reply     Please Recycle

Dear Examiner Jean-Bart:

In response to the non-final office action mailed September 12, 2006, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated December 12, 2006 (2 pages); and
- 2) Amendment A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated December 12, 2006 (17 pages);

Very respectfully,

Ronald E. Smith  
USPTO Reg. No. 28,761

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DEC 12 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 10/604,182	Confirmation No.
Applicant:	: Dennis K. Killinger	1181
Filed:	: 06/30/2003	
TC/A.U.	: 2631	
Examiner	: Ralph Jean Bart	
Docket No.	: 1372.08.PRWQUS	
Customer No.	: 21901	
For	: Open-Path/Free-Space Optical Communication System and Method Using Reflected or Backscattered Light	

Transmitted to Central Fax at (571) 273-8300  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is an independent inventor.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of time is required.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment A, including Amendments to the Claims and Remarks, are being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 2631, Attn: Ralph Jean Bart, (571) 273-8300, on December 12, 2006.

Dated: December 12, 2006

April Turley

(Amendment Transmittal—page 1)

DEC 12 2006

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3) SMALL ENTITY		
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total 29	Minus 33	= 0	x \$25 =	\$0
Indep. 5	Minus 5	= 0	x \$100 =	\$0
First Presentation of Multiple Dependent Claim			+ \$180 =	\$0
			Total Addit. Fee	\$0

- If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
- \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,



**SIGNATURE OF PRACTITIONER**

USPTO Reg. No: 28,761  
Tel. No.: (813) 925-8505

Ronald E. Smith  
Smith & Hopen, P.A.  
180 Pine Avenue North  
Oldsmar, Florida 34677

(Amendment Transmittal—page 2)

DEC 12 2006

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Hon. Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT A

## Introductory Comments

Sir:

In response to the non-final Examiner's Action mailed 09/12/2006, having a shortened statutory period for response set to expire 12/12/2006, the above-identified patent application is amended a first time as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 4 of this paper.

**Remarks** begin on page 11 of this paper.